

R E M A R K S

Claims 1-32 are pending in the application.

Claims 13-26 and 28 are allowed. Claims 3, 5-12 are found to contain allowable subject matter.

Claims 33-42 have been newly added. Support for the new claims is described below.

No new matter is entered.

A total of 9 additional independent claims over 3 have been added.

A total of 5 additional claims over 20 have been added.

Please charge the amount of \$2300 for the extra claims added to Deposit Account 50-1290.

Claims 29 and 30 under 35 U.S.C. § 112, second paragraph, as being indefinite. An antecedent basis problem was clarified in the preamble of claim 29. Claim 30 has been cancelled herein. It is respectfully requested the rejection be withdrawn.

Claims 1 and 2 were rejected under 35 USC §102(e) as anticipated, or under 35 USC §103(a) as obvious, over Belzile (USP 6,253,249 B1).

Claims 1 and 2 have been cancelled herein without prejudice.

Claim 3 was objected to as being dependent upon a rejected base claim. Claim 3 has been amended into independent form including all of the limitations of original claims 1 and 2 to put the claim into an allowable state.

Claim 4 was rejected under 35 USC §102(e) as anticipated, or under 35 USC §103(a) as being obvious, over Belzile.

Claim 4 has been amended into independent form including all of the limitations of

original claims 1 and 2 and further reciting that the subject apparatus has a traffic-status monitor/control section that monitors/controls a traffic status in the communication network based on at least either of **i) information about the traffic status collected from each of one or more routers, which are included in the communication network, and ii) a sending/receiving status of test packets to/from second gateway equipment, which is connected to the communication network and serves as a companion to the first gateway equipment for voice data transmission.**

It is respectfully submitted that Belzile fails to disclose or suggest the features of claim 4. Without considerable reconstruction of Belzile the features of claim 4 would not have been obvious to one skilled in the art and would not reach the subject matter recited in claim 4.

Claims 5-8 each depend directly or indirectly from claim 4 and should be allowed because they recite the distinguishing features of claim 4 and additional features.

Claims 9-12 were objected to as being dependent upon a rejected base claim. Claim 9 has been amended into independent form including all of the limitations of original claims 1 and 2 to put claims 9-12 into an allowable state.

Claims 13-26 were deemed allowable.

Claim 27 was rejected under 35 USC §102(e) as being not new over Belzile. Claim 27 has been cancelled herein obviating the rejection.

New claims 33 and 34 are based on the original claim 27 and call for methods corresponding to the apparatuses defined by amended claims 4 and 9, respectively.

New claim 33 recites that a traffic status is monitored/controlled based on at least either of i) information about the traffic status collected from each of one or more routers and ii) a sending/receiving status of test packets to/from second gateway equipment.

New claim 34 recites that a cryptographic-processing status of voice data is monitored/controlled.

Belzile fails to disclose or suggest the features of new claims 33 and 34 as pointed out above in claim 4. Claims 33 and 34 should therefore be allowed.

Claim 28 was deemed allowable.

Claim 29 was rejected under 35 USC §102(e) as being not new over Belzile. Claim 29 has been cancelled herein obviating the rejection.

New claims 35 and 36 are based on the original claim 29 and call for program-containing recording mediums corresponding to the apparatuses of amended claims 4 and 9, respectively.

Belzile fails to disclose or suggest the features of new claims 35 and 36, and therefore claims 35 and 36 should be allowed.

Claim 31 was rejected under 35 USC §102(e) as being not new over Belzile. Claim 31 has been cancelled herein obviating the rejection.

New claims 37 and 38 are based on the original claim 31 and call for gateway apparatuses having the features corresponding to the apparatuses of amended claims 4 and 9, respectively.

New claim 39 recites a gateway apparatus and is based on the apparatus of allowed claim 13.

Belzile fails to disclose or suggest the features of new claims 37-39, and therefore they should be allowed.

Claim 32 was rejected under 35 USC §103(a) as being obvious over Belzile. Claim 32 has been cancelled herein obviating the rejection.

New claims 40 and 41 are based on the original claim 32 and call for router apparatuses

having the features corresponding to the apparatuses of amended claims 4 and 9, respectively.


New claim 42 calls for a router apparatus having the feature corresponding to the apparatus of claim 13.

Belzile fails to disclose or suggest the features of new claims 40-42, and therefore they should be allowed.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,


Brian S. Myers
Reg. No. 46,947

CUSTOMER NUMBER 026304
Telephone: (212) 940-8703
Fax: (212) 940-8986 or 8987
Docket No.: FUJS 18.338 (100794-11616)